

## SCAN Policies Database State Profile 2021: Texas

### Overview of the SCAN Policies Database

The State Child Abuse and Neglect (SCAN) Policies Database compiles data on the definitions and policies that states use in their surveillance of child maltreatment, along with data on associated risk and protective factors. The SCAN Policies Database is funded by the Office of Planning, Research, and Evaluation in collaboration with the Children's Bureau in the Administration for Children and Families, U.S. Department of Health and Human Services. Mathematica leads this project in partnership with Child Trends.

The project's purpose is to review and compile information from states' definitions and policies to create a database of those definitions and policies that can be used for analysis. The SCAN Policies Database is a resource for researchers, analysts, child welfare agency staff, and others interested in examining differences between states in their definitions and policies on child maltreatment and how they change over time.

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### Content

The scope of the SCAN Policies Database includes information about state definitions and policies related to child abuse and neglect for all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. The SCAN Policies Database team gathered this information through a document collection, review, and coding process. The team obtained input from states on data collection through a confirmation and verification process. More information about these data collection procedures can be found in the data user's guide and data collection protocol, accessible at <https://www.scanpoliciesdatabase.com/data-use-resources>.

The SCAN Policies Database 2021 represents data collected, reviewed, and verified between July 2021 and January 2022. The data reflect the state definitions and policies for the calendar year 2021. The scope of topics in the database includes states' definitions of child abuse and neglect, as well as information about policies related to reporting, screening, and investigating child maltreatment. Key aspects of the child welfare systems' response and context are also included.

The content in the SCAN Policies Database is organized into six domains. The state profiles, codebook, data collection protocol, and data file are also organized by these domains. In the protocol, each question begins with a letter prefix identifying the domain for each variable. The six domains with the identifying protocol number prefix are listed below.

Domain	Question prefix
Definitions	D
Reporting	R
Screening	S
Investigation	I
Child welfare response	W
Child welfare system context	C

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## State profile

This SCAN Policies Database state profile is a summary of the information collected about the definitions and policies for the identified state. It is organized by six domains, with each section containing a set of tables that depict the state's information for all variables within that domain.

The state profile presents data for each variable with “yes,” “no,” “unknown,” or other response as appropriate. The response of “unknown” appears for topics that could not be located from the state's available resources or verified with that state. In some cases, “logical skip” appears when a question was not applicable to a particular state, given a related response on a preceding question.

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## Data use resources

Several data use resources are available to support users of the SCAN Policies Database:

- **Data user's guide:** The guide has detailed information about the data set, including the process used to collect and review the data, the scope of information included in the data set, guidance on using the data, such as how to link the data with other data sources, and notes about specific topics. The data user's guide includes appendices with information on corrections to the SCAN Policies Database 2019 and a summary of changes to the data between 2019 and 2021 that reflect changes to state laws and policies during that time period. There is one data user's guide that is updated and applicable for all rounds of data collection for the SCAN Policies Database.
- **Codebook:** The codebook provides information about each variable in the data set, including variable names, labels, definitions, protocol number, variable type, and frequencies. The codebook includes several appendices, including a list of all sources used to review and code data. There are separate codebooks to summarize the data from each round of data collection.
- **Data collection protocol:** The protocol has the questions used to collect information about states' statutes and policies as part of the data review and coding process. There are separate data collection protocols for each round of data collection for the SCAN Policies Database.

These data use resources can be found on the SCAN Policies Database website (<https://www.scanpoliciesdatabase.com/data-use-resources>) or from the National Data Archive for Child Abuse and Neglect (NDACAN) (<https://www.ndacan.acf.hhs.gov/>).

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## More information

More information about the SCAN Policies Database can be found at <https://www.scanpoliciesdatabase.com>. General inquiries can be submitted to [SCANPoliciesDatabase@mathematica-mpr.com](mailto:SCANPoliciesDatabase@mathematica-mpr.com).

## State identifying information

Table I. State identifying information

	Response
a. State abbreviation	TX
b. State Federal Information Processing Standard (FIPS) code	48
c. Census region code	South
d. State verified coding of information	Yes
e. State confirmed documents reviewed	Yes
f. State definitions and policies for calendar year	2021
g. Data version	2021v1

## Domain D: Definitions of child maltreatment

Table II. State's definition of child maltreatment

	Response
<b>1. Types of maltreatment included in state definition</b>	
a. Physical abuse	Yes
b. Excessive corporal punishment	Yes
c. Sexual abuse	Yes
d. Emotional maltreatment	Yes
e. Neglect	Yes
f. Inadequate clothing	Yes
g. Inadequate shelter	Yes
h. Malnourishment, inadequate food	Yes
i. Medical neglect, inadequate medical care	Yes
j. Failure to thrive	Yes
k. Educational neglect	No
l. Abandonment	Yes
m. Injurious environment. Likelihood of harm to child's health, physical well-being	Yes
n. Drug lab. Child present within structure where methamphetamine is being created	Yes
o. Inadequate supervision. Failure to meet parent or caretaker responsibilities	Yes
p. Drug or alcohol misuse. Parental drug or alcohol misuse causing harm to child	Yes
q. Prenatal exposure to drugs or alcohol	Yes
r. Illicit substance. Illegally providing a controlled substance to a child	Yes
s. Human trafficking, involuntary servitude, sexual servitude	Yes
t. Female genital mutilation	Yes
u. Shaken baby syndrome, abusive head trauma	Yes
v. Failure to protect. Failure to protect from harm	Yes
w. Domestic violence. Exposure to domestic violence	No
x. Factitious disorder by proxy	No
y. Institutional abuse/neglect	No
z. Other definition (specify)	Yes - Forcing or coercing a child to enter into a marriage

Table II (continued)

	Response
<b>2. Subtypes of maltreatment included in state definition</b>	
a. Subtypes of maltreatment considered abuse	Abuse includes emotional abuse, labor trafficking, physical abuse, sex trafficking, sexual abuse; Physical abuse includes substance use by parent, (specifically current use of a controlled substance, in a manner or to the extent that the use results in physical injury to a child and causing, expressly permitting, or encouraging a child to use a controlled substance); Emotional abuse include parental substance use (specifically the current use of a controlled substance, in a manner or to the extent that the use results in mental or emotional injury to a child)
b. Subtypes of maltreatment considered neglect	Neglect includes abandonment, neglectful supervision, medical neglect, physical neglect, refusal to assume parental responsibility
c. Subtypes of maltreatment considered other than abuse or neglect	Not applicable
<b>3. Level of harm included in state's definition of child maltreatment</b>	
a. Inflicts harm	Yes
b. Imminent danger or substantial risk of harm	Yes
<b>4. Differences in level of harm included in state's definition of child maltreatment by type of maltreatment</b>	No
<b>5. Type of harm or injury specified in state's definition of child maltreatment</b>	
a. Death, bodily injury, impairment of physical condition	Yes
b. Impairment of mental or emotional condition	Yes
c. Harmful environment, conditions	Yes
d. Type of harm or injury not specified	No
e. Other (specify)	No
<b>6. Variation in extent of injury or harm by maltreatment type in the state's definition of child maltreatment</b>	No
<b>7. Perpetrator identified as part of state's definition of child maltreatment</b>	Yes
<b>8. Types of perpetrators specified as part of state's definition of child maltreatment</b>	
a. Any adult	No
b. Parent	Yes
c. Guardian	Yes
d. Caregiver/caretaker	Yes
e. Family member/parent/paramour	Yes
f. Household member	Yes

Table II (*continued*)

	<b>Response</b>
g. Person responsible for child	Yes
h. Other (specify)	No
<b>9. Types of perpetrators vary by type of maltreatment</b>	Yes
<b>10. Explanation of variation in types of perpetrator by maltreatment type</b>	For abandonment, the perpetrator is a parent, guardian, or managing or possessory conservator of the child; Temporary caregivers can be considered perpetrators for neglectful supervision or refusal to assume parental responsibility
<b>11. Child age included in definition of child maltreatment</b>	Yes
<b>12. Specific child age in definition of child maltreatment</b>	Under age 18
<b>13. Variability of child age by type of maltreatment</b>	No

**Table III. Child maltreatment definition exemptions**

	<b>Response: Yes/No/Unknown</b>
<b>1. Exemption included in state's definition of child maltreatment</b>	
a. Financial issues, financial inability to provide for a child	Yes
b. Discipline; physical discipline, as long as it is reasonable and causes no bodily injury to the child	Yes
c. Safe haven exemption; newborn relinquished or abandoned in accordance with infant safe haven laws	Yes
d. Infant testing positive for drugs – medical; newborn with positive test for controlled substance as a result of parent's medical treatment	Yes
e. Religious observance; parent relies on spiritual or religious forms of medical treatment	Yes
f. Other exemption (specify)	Yes - Truancy; Runaway child; Children in need of supervision; Latch-key children; Harmful or violent children; Children with severe emotional disturbances
<b>2. Safe haven exemption included in state's definition of child maltreatment</b>	
a. Must leave a child at specific safe haven locations	Yes
b. Child must be left by parent or parent's agent	Yes
c. Child must be left by a certain age (specify)	Yes - 60 days old or younger
d. No intent to return	Yes
e. Child must be left unharmed	Yes
f. Other (specify)	No

**Table IV. Definitions and response for child fatalities and near-fatalities cases**

	<b>Response: Yes/No/Unknown</b>
<b>1. State's definition of fatalities or deaths caused by child maltreatment</b>	
a. Not specified/not defined	No
b. Injury from abuse or neglect caused death	Yes
c. Abuse or neglect was contributing factor in death	No
d. Death of child was in child welfare custody/foster care	No
e. Other (specify)	No
f. Unknown	No
<b>2. State conducts case reviews with a child fatality review team or a similar review process for fatalities caused by child abuse or neglect</b>	
a. No case review or review process	No
b. Reviews are required of all or some cases	Yes
c. Reviews can be conducted but are not required	No
d. Other (specify)	No
e. Unknown	No
<b>3. State's definition of near-fatalities or near-deaths caused by child maltreatment</b>	
a. Not specified/not defined	No
b. General reference to a serious or critical condition/injury that is life threatening with a substantial risk of death	Yes
c. Specific injury or specific medical treatment/intervention (specify)	Yes - Near fatal abuse or neglect is abuse or neglect from which the child would likely have died without medical intervention. Medical intervention is treatment that involves one or more the following: 1) cardiopulmonary resuscitation (CPR), such as chest compressions, rescue breathing, removal of something blocking the airway, or insertion of a tube for breathing, 2) medications to stabilize cardiac (heart) or respiratory (breathing) status, blood pressure, or critical electrolytes, 3) surgery to preserve brain function, to prevent blood loss, or to prevent infection (for example, as the result of abdominal trauma)
d. Other (specify)	No
e. Unknown	No
<b>4. State conducts case reviews with a review team or similar review process for near-fatalities caused by child abuse or neglect</b>	
a. No case review or review process	No
b. Reviews are required of all or some cases	Yes

Table IV (*continued*)

	<b>Response: Yes/No/Unknown</b>
c. Reviews can be conducted but are not required	No
d. Other (specify)	No
e. Unknown	No

## Domain R: Reporting child abuse and neglect

Table V. Reporting policies

	Response
<b>1. Statewide centralized reporting</b>	Yes
<b>2. How reporting is decentralized</b>	
a. Each county or region has its own reporting hotline	Logical Skip
b. Some counties or regions have their own reporting hotline	Logical Skip
c. During some times of the day, counties or regions have their own reporting hotline	Logical Skip
d. Other (specify)	Logical Skip
<b>3. Standard for reporting child maltreatment</b>	
a. Known abuse and neglect	No
b. Reasonable cause to believe a child was abused or neglected	Yes
<b>4. Universal mandated reporting</b>	Yes
<b>5. Required training for mandated reporters</b>	No
<b>6. Penalties for failure to report</b>	Yes, all adults
<b>7. Specific penalties for failure to report</b>	
a. Criminal charges	Yes
b. Civil charges	No
c. Professional licensure suspended or revoked	Yes
d. Other (specify)	No
<b>8. Penalties for false reporting</b>	Yes
<b>9. Specific penalties for false reporting</b>	
a. Criminal charges	Yes
b. Civil charges	Yes
c. Professional license suspended or revoked	No
d. Other (specify)	No
e. Unknown	No
<b>10. Immunity for reporters of child abuse and neglect</b>	Yes
<b>11. Information requested at the time of report</b>	
a. Identifying information of child	Yes
b. Location/contact information of child and family	Yes
c. Type/severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	Yes
e. Identifying and other information of alleged perpetrator(s)	Yes
f. Identifying and other information of reporter	Yes
g. Identifying information of child's parents, guardian, or caregiver/caretaker	Yes
h. Identifying and other information of family/household members	Yes
i. Information on prior maltreatment	No
j. Other (specify)	Yes - Collateral contacts
<b>12. Anonymity of reporter</b>	
a. All reporters (including mandated reports) can stay anonymous	Yes

Table V (continued)

	Response
b. The general public can be anonymous (mandated reporters cannot remain anonymous)	No
c. Reporters (including mandated reporters) cannot be anonymous	No
d. Unknown	No
<b>13. Tribal involvement in accepting reports of tribal cases</b>	
a. Tribes are not involved	Yes
b. Tribes accept reports (specify tribes)	No
c. Collaboration of tribes with state/local public child welfare agency to accept reports (specify tribes)	No
d. Tribes accept reports and collaborate with state/local public child welfare agency (specify tribes)	No
e. Unknown	No
<b>14. State requires all notifications of substance-exposed newborns (SENs) to be submitted as reports of child maltreatment</b>	
a. State does not require all cases of SENs to be reported for child maltreatment, but they could be reported if they meet certain criteria	Yes
b. State requires all SENs to be reported as child maltreatment	No
c. Other (specify)	No
d. Unknown	No
<b>15. Accepts reports of risk without an allegation of child maltreatment (risk-only reports)</b>	
a. No	No
b. Yes	Yes
c. Other (specify)	No
d. Unknown	No

**Table VI. Types of mandated reporters**

	Response	Response	Response
1. Types of mandated reporters	Included in state's definition of mandated reporters	Training required <sup>1</sup>	Subject to penalties for failure to report <sup>2</sup>
a. Foster parents	Yes	Logical Skip	Yes
b. School staff - teachers	Yes	Logical Skip	Yes
c. School bus drivers or other transportation staff	Yes	Logical Skip	Yes
d. Before- /after-school program staff	Yes	Logical Skip	Yes
e. Child care staff	Yes	Logical Skip	Yes
f. Camp counselors, directors, or administrators	Yes	Logical Skip	Yes
g. Athletic coaches or staff	Yes	Logical Skip	Yes
h. Medical or dental professionals	Yes	Logical Skip	Yes
i. Substance abuse disorder treatment providers	Yes	Logical Skip	Yes
j. Mental health, counselors, or other social service professionals	Yes	Logical Skip	Yes
k. Police or other law enforcement	Yes	Logical Skip	Yes
l. Emergency medical technicians, firefighters, or other emergency personnel	Yes	Logical Skip	Yes
m. Judges	Yes	Logical Skip	Yes
n. District attorneys or other attorneys	Yes	Logical Skip	Yes
o. Guardian ad litem or court-appointed special advocates	Yes	Logical Skip	Yes
p. Other court personnel	Yes	Logical Skip	Yes
q. Shelter staff	Yes	Logical Skip	Yes
r. Those who work in fields processing or monitoring print, film, or computer images	Yes	Logical Skip	Yes
s. Religious clergy	Yes	Logical Skip	Yes
t. Volunteers	Yes	Logical Skip	Yes
u. Coroners or medical examiners	Yes	No	Yes
v. Staff or contractors of state and county agencies	Yes	No	Yes
w. Other type of mandated reporter (specify)	Yes	Logical Skip	Yes - All adults

Table VI (*continued*)

<sup>1</sup>Responses in this column can equal logical skip when the given type of mandated reporter is not included in the state's definition of mandated reporters or when no training is required for mandated reporters (Table V.5).

Responses in this column can be yes when a state has universal mandated reporting (Table V.4) and all mandated reporters require training (Table V.5).

<sup>2</sup>Responses in this column can equal logical skip when the given type of mandated reporter is not included in the state's definition of mandated reporters or when no mandated reporters are subject to penalties (Table V.6).

Responses in this column can be yes when a state has universal mandated reporting (Table V.4) and when all adults or all mandated reporters are subject to penalties (Table V.6).

## Domain S: Screening reports of child abuse and neglect

Table VII. Screening policies

	Response
<b>1. Statewide centralized screening</b>	Yes
<b>2. How screening is decentralized</b>	
a. Each county or region has its own screening unit	Logical Skip
b. Some counties or regions have their own screening units	Logical Skip
c. During certain times of the day, counties or regions have their own screening units	Logical Skip
d. Other (specify)	Logical Skip
<b>3. Information required to screen in report</b>	
a. Identifying information of child	Yes
b. Location/contact information of child and family	Yes
c. Type/severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	Yes
e. Identifying and other information of alleged perpetrator(s)	Yes
f. Other (specify)	No
g. Unknown	No

**Table VIII. Screening decision process and activities**

	<b>Response</b>	<b>Required cases</b>	<b>Conditions or types of cases</b>
<b>1. Decision processes used during screening</b>			
a. Supervisory review	Yes	Required for some	—
b. Team-based decision	No	Logical Skip	—
c. Individual screener	Yes	Required for some	—
d. Other (specify)	No	Logical Skip	—
e. Unknown	No	—	—
<b>2. Variability of decision process used for screening</b>			
a. Consistent statewide	Yes	—	—
b. Varies locally	No	—	—
c. Unknown	No	—	—
<b>3. Certain activities or information are required as part of screening</b>	Yes		
<b>4. Activities/information required as part of screening</b>			
a. Safety or risk assessment	No	Logical Skip	Not applicable
b. Review agency records for prior involvement with child protective services	Yes	Required for all	Not applicable
c. Other (specify)	No	Logical Skip	Not applicable
<b>5. Types of safety/risk assessment used during screening</b>			
a. Structured decision making	Logical Skip	—	—
b. Other (specify)	Logical Skip	—	—
<b>6. Consistency of screening activities/information</b>			
a. Consistent statewide	No	—	—
b. Varies locally (specify)	Yes - Screening for some reports follow regional protocols	—	—
c. Unknown	No	—	—

**Table IX. Screeners**

	<b>Response</b>
<b>1. Screener of abuse and neglect reports</b>	
a. Caseworkers (frontline staff)	Yes
b. Case managers (supervisors)	Yes
c. Staff in specialized screening unit	No
d. Other (specify)	No
<b>2. Qualifications of screener</b>	
a. Associate's degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for screening (specify)	Yes - 7 week training (3 in classroom and 4 on the job)
e. Years of experience (specify)	No
f. Other (specify)	No
g. Unknown	No
<b>3. Degree in social work or related field for screeners</b>	
a. Not required	No
b. Required	No
c. Recommended or preferred, but not required	Yes
d. Other (specify)	No
e. Unknown	No
<b>4. Tribal involvement in screening process of tribal cases</b>	
a. Tribes are not involved	Yes
b. Tribes conduct screening (specify tribes)	No
c. Collaboration of tribes with state/local public child welfare agency (specify tribes)	No
d. Tribes conduct screening and collaborate with state/local public child welfare agency (specify tribes)	No
e. Unknown	No

## Domain I: Investigations of child abuse and neglect

Table X. Investigations policies

	Response
<b>1. Child maltreatment investigations lead to criminal penalties</b>	Yes
<b>2. Investigator for reports</b>	
a. Caseworkers (frontline staff)	Yes
b. Case managers (supervisors)	Yes
c. Staff in specialized investigations unit	Yes
d. Law enforcement	Yes
e. Other (specify)	No
<b>3. Qualifications of investigator</b>	
a. Associate's degree	Yes
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for conducting investigations (specify)	No
e. Years of experience (specify)	Yes - 2 years relevant work experience with 60 college credit hours; 1 year of relevant work experience with 90 college credit hours; Examples of relevant work experience in social, human, or protective services include paid or volunteer work within social service agencies or communities providing services to families or other at-risk populations
f. Other (specify)	No
g. Unknown	No
<b>4. Degree in social work or related field for investigators</b>	
a. Not required	Yes
b. Required	No
c. Recommended or preferred, but not required	No
d. Other (specify)	No
e. Unknown	No
<b>5. Level of evidence required for substantiation (founded/indicated/confirmed)</b>	
a. Preponderance of evidence	Yes
b. Credible or substantial evidence	No
c. Probable or reasonable cause	No
d. Unknown	No
<b>6. Investigation determination can result in an "inconclusive" finding</b>	
a. No	No
b. Yes	Yes
c. Unknown	No

**Table XI. Required activities/information for investigation**

	<b>Response</b>	<b>Required cases</b>	<b>Conditions or types of cases</b>
<b>1. Certain activities/information required for the investigation process</b>	Yes		
<b>2. Specific activities or information required for investigation</b>			
a. Review agency records for prior involvement with child protective services	Yes	Required for all	Not applicable
b. Visit to child's home	Yes	Required for some	If there is a principal child in the home who is 5 years old or younger; The allegations involve the condition of the home or other circumstances in the case make a home visit necessary to ensure child safety
c. Interview or observation of child victim	Yes	Required for all	Not applicable
d. Interview or observation of other children living in child's home	Yes	Required for some	The caseworker must interview the children if the caseworker believes they have relevant information about the allegations or known danger to a child
e. Risk or safety assessment	Yes	Required for all	Not applicable
f. Evaluation of home environment or home study	Yes	Required for some	If there is an infant (under 12 months of age), the caseworker must observe the area where the infant sleeps for any unsafe sleep practices
g. Interviews with child's parents, caregivers, or other adults residing in child's home	Yes	Required for all	Not applicable
h. Check of criminal records for adults in home	Yes	Required for all	Not applicable
i. Check of child welfare or central registry for prior child maltreatment allegations against adults in home	Yes	Required for all	Not applicable
j. Medical evaluation	Yes	Unknown	Not applicable
k. Mental health evaluation	Yes	Unknown	Not applicable
l. Interview alleged perpetrator	Yes	Required for all	Not applicable
m. Interview reporter or collateral source	Yes	Required for some	School investigations; In cases where the allegations have been refuted

Table XI (continued)

	<b>Response</b>	<b>Required cases</b>	<b>Conditions or types of cases</b>
n. Other (specify)	Yes - Arrange for joint investigation with law enforcement if Priority 1 and sexual abuse or physical abuse is alleged, or document why a joint investigation cannot occur; Visual examination of the child; Obtain demographic information from principals; Sexual abuse examinations	Required for some	Joint investigation is required for sexual and physical abuse; Sexual abuse examinations are required for sexual abuse cases; For visual examinations, the caseworker must have reasonable belief that the child may have physical signs of abuse or neglect; For obtaining demographic information, the caseworker must work with each principal to determine the principal's race or ethnicity and the language in which the principal communicates for all cases

## Domain W: Child welfare response

Table XII. Differential or alternative response

	Response
<b>1 Differential/alternative response</b>	
a. No	No
b. Yes - implemented statewide	Yes
c. Yes - implemented in specific counties or regions (specify)	No
d. Unknown	No
<b>2. Types of maltreatment eligible for differential/alternative response</b>	
a. All types of maltreatment are eligible	No
b. Only certain types of maltreatment are eligible	Yes
c. Unknown	No
<b>3. Types of maltreatment <u>not</u> eligible for differential/alternative response</b>	
a. Cases involving child fatalities	Yes
b. Substance-exposed infants	No
c. Physical abuse	Yes
d. Sexual abuse	Yes
e. Neglect	No
f. Abandoned infants	No
g. Other (specify)	No
<b>4. Eligibility for differential/alternative response determined by a risk determination</b>	
a. No	No
b. Yes	Yes
c. Other (specify)	No
d. Unknown	No
<b>5. Tools used to determine risk for differential/alternative response</b>	Yes - Priority rating system
<b>6. Risk level eligible for differential/alternative response</b>	
a. No risk	No
b. Low risk	Yes
c. Moderate risk	Yes
d. Other (specify)	No
e. Unknown	No

Table XII (continued)

	Response
<b>7. Other types of cases or conditions eligible for differential/alternative response</b>	
a. No other cases or conditions	Yes
b. No immediate safety concerns	No
c. No or few prior reports of child abuse or neglect	No
d. Other (specify)	No
<b>8. When is determination made for differential/alternative response</b>	
a. At time of screening to screen out to differential response	No
b. After a report is screened in	Yes
c. Other (specify)	No
<b>9. Referrals to community services for cases engaged in differential response</b>	
a. No	No
b. Yes - for all cases	No
c. Yes - when families express interest	No
d. Yes - when there is a determination of risk	Yes
e. Yes - other (specify)	No

**Table XIII. In-home services, foster care, and permanency**

	<b>Response</b>
<b>1. In-home services provided for unsubstantiated cases to maintain intact families</b>	
a. No	No
b. Yes - implemented statewide	Yes
c. Yes - implemented in specific counties or regions	No
d. Unknown	No
<b>2. In-home services provided post reunification</b>	
a. No	No
b. Yes - implemented statewide	Yes
c. Yes - implemented in specific counties or regions	No
d. Unknown	No
<b>3. Tribal involvement in foster care for tribal cases</b>	
a. Tribes do not provide foster care	Yes
b. Tribes provide foster care (specify tribes)	No
c. Unknown	No
<b>4. Foster care extension for those older than 18</b>	Yes
<b>5. Age youth are allowed to remain in extended foster care</b>	
a. Age 21	Yes
b. Other (specify)	No
<b>6. Permanency</b>	
a. Kinship guardianship as a permanency option	Yes
b. Subsidized guardianship	Yes
c. Subsidized kinship guardianship	Yes
d. Subsidized adoption	Yes
<b>7. Foster care case management staff</b>	
a. State/county public agency staff	Yes
b. Contracted provider staff	Yes
c. Tribal agency staff	Yes
d. Unknown	No
<b>8. Qualifications of foster care case managers</b>	
a. Associate degree	Yes
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for case management (specify)	Yes - Unspecified training before and after starting employment

Table XIII (continued)

	<b>Response</b>
e. Years of experience (specify)	Yes - 2 years of relevant work experience with associate's degree; 2 years relevant work experience with 60 college credit hours; 1 year of relevant work experience with 90 college credit hours; Examples of relevant work experience in social, human, or protective services include paid or volunteer work within social service agencies or communities providing services to families or other at-risk populations
f. Other (specify)	No
g. Unknown	No
<b>9. Degree in social work or related field for foster care case managers</b>	
a. Not required	Yes
b. Required	No
c. Recommended or preferred, but not required	No
d. Other (specify)	No
e. Unknown	No

**Table XIV. Agency staff dedicated to equity**

	<b>Response</b>
<b>1. Child welfare agency uses staff roles/functions dedicated to addressing disproportionality and/or equity</b>	
a. No staff or roles	No
b. Uses cultural brokers	No
c. Uses manager, administrator, or office focused on diversity, equity, and inclusion (DEI) or multicultural or tribal affairs	Yes
d. Other (specify)	No
e. Unknown	No
<b>2. Aspects of child welfare process that involve cultural brokers</b>	
a. Screening process	Logical Skip
b. Investigation process	Logical Skip
c. Case management/child welfare response	Logical Skip
d. Other (specify)	Logical Skip
e. Unknown	Logical Skip
<b>3. Specify other staff roles/job functions dedicated to addressing disproportionality and/or equity</b>	Child Protective Services (CPS) Disproportionality Manager
<b>4. Aspects of child welfare process that involve other staff roles/functions used to address disproportionality and/or equity</b>	
a. Screening process	No
b. Investigation process	No
c. Case management/child welfare response	No
d. Other (specify)	Yes - (1) Manages the planning, development, and implementation of standards of services, statewide policies, and procedures for the agency designed to improve parity of outcomes for children, families and vulnerable elderly. Completes ongoing assignments and reports. Disseminates best practice guidelines. Provides professional guidance in the program area to regional managers, agency administrators, council and executive staff. (2) Performs oversight of program quality, coordination of internal and external advisory or work groups. Liaisons with regional disproportionality staff across the state to achieve departmental goals associated with diversity, equity and inclusion. (3) Establishes short-, mid-, and long-term goals and objectives; develops work plans and standards for achieving goals; and directs evaluation activities. Reports on the attainment of agency goals and levels of achievement. (4) Consults with various representatives, both internal and external to the agency, regarding collaborative activities associated with diversity, equity and inclusion, cultural humility, and cultural competency. Represents the Department of Family and Protective Services at meetings, hearings, trials,

Table XIV (continued)

	conferences and seminars or on boards, panels and committees. Testifies at hearings and legislative meetings.
e. Unknown	No

## Domain C: Child welfare system context

Table XV. Child welfare system context

	Response
<b>1. State- or county-administered child welfare system</b>	
a. State administered	Yes
b. County administered	No
c. Hybrid (partially administered by the state and partially administered by the counties)	No
d. Unknown	No
<b>2. State operates under legal consent decree or other court-ordered monitoring</b>	Yes - M.D. vs. Abbott (also known as M.D. vs. Perry)

## Supplemental Notes on State

### Definitions

Inadequate clothing and inadequate shelter are considered maltreatment only when they can be tied to a detrimental impact to the child.

Factitious disorder or Munchausen syndrome by proxy may be investigated under medical neglect or emotional abuse.

Exposure to domestic violence is considered maltreatment whenever a child attempts to intervene, or when a child is close enough to potentially be harmed, or when it causes emotional harm to the child.

A child is a person under 18 who is not and has not been married or who has not had his disabilities of minority removed for general purposes.

In most cases, "religious observance, parent relies on spiritual or religious forms of medical treatment" is exempted from the state's definition of child maltreatment, but there are exceptions if life-sustaining medical treatment is required for a newborn, and the parent refuses treatment.

In Texas, the term "CPS" now refers to ongoing services that might occur after an investigation. These include family-based services and conservatorship. Investigations and alternative response functions are carried out by the program child protective investigations. Child Safety Specialists (CSS) conduct reviews of near-fatal and fatal cases.

### Screening

In rare circumstances, an associate's degree is acceptable as a requirement for screeners if it is coupled with some type of experience in protective services.

The Statewide Intake (SWI) division of the Center for Learn and Organizational Excellence (CLOE SWI) provides all training for SWI, including: Basic Skills Development (BSD) for new intake specialists over seven weeks; and Advanced Skills Development (ASD) to all BSD graduates within 12 months completing the BSD training.

### Investigations

An inconclusive finding is known as an "Unable to Determine" disposition. Caseworkers assign "Unable to Determine" disposition to an allegation if the allegation does not meet the criteria for Administrative Closure, Reason to Believe, Ruled Out, or Unable to Complete, and one of the following applies:

1. There is not enough information to determine whether the alleged abuse or neglect occurred
2. There is enough information to determine that the abuse or neglect occurred, but not enough to determine whether the alleged perpetrator is responsible for it
3. The caseworker does not assign this disposition unless the caseworker has made reasonable efforts to gather all available information

### **Child welfare response**

According to Texas statute, the department may implement the alternative response in one or more of the department's administrative regions before implementing the system statewide. The department will study the results of the system in the regions where the system has been implemented to determine the method by which to implement the system statewide.

Under the Indian Child Welfare Act, the state must notify Native American parents and tribes of state proceedings involving Native American children and their right to intervene; comply with placement preferences of Native American children in foster care, pre-adoptive, and adoptive homes; and conduct active efforts to prevent the breakup of the Native American family when parties seek to place a child in foster care or for adoption.

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